

HellerEhrman
ATTORNEYS



May 1, 2002

VIA REGISTERED MAIL

Vic Alston
2751 South Norfolk Street, #212
San Mateo, California 94403



David A. Hall
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37232-6067

Re: U.S. Patent Application entitled "DYNAMICALLY BRANDED WEB SITES"
Inventors: V. Alston et al.
Application No.: 10/057,513 - Filed: January 25, 2002
Our Ref. No.: 37232-6067

Dear Vic:

You may recall that you are named as an inventor on the above-referenced BigMachines.com, Inc. patent application. At the time of filing, we discussed the various formal papers that would eventually need to be signed by each inventor, pursuant to their employee obligations. We now are at the time when we need to submit the signed formal papers for this application, including your signature.

Therefore, enclosed for your execution are the combined Declaration/Power of Attorney form and the Assignment form. Please sign and date these forms and return them to us as soon as possible. We will then file them in the U.S. Patent and Trademark Office. Please let me know if you anticipate any difficulty in returning the signed forms by May 17, 2002.

If you have any questions regarding this application or these forms, please do not hesitate to contact me.

Very truly yours,

David A. Hall

Enclosure

186620 v01.SD (3ZZW011.DOC) (37232.6067)

Heller Ehrman White & McAuliffe LLP 4350 La Jolla Village Drive, 7th Floor San Diego, CA 92122-1246 www.hewm.com

San Francisco Silicon Valley Los Angeles San Diego Seattle Portland Anchorage New York Washington D.C. Montgomery Co., MD Madison, WI
Hong Kong Singapore Affiliated Offices: Frankfurt Milan Paris Rome

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DYNAMICALLY BRANDED WEB SITES

the specification of which

- ☐ is attached hereto.
- ☒ was filed by an authorized person on my behalf on January 25, 2002 as Application Serial No. 10/057,513.
- ☐ and as amended [if applicable].

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below and so identified, or §365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and I have also identified below any foreign application for patent or inventor's certificate or PCT international application on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

Priority
Claimed
(Yes or No)

Number	Country	Day/Month/Year Filed	Priority Claimed (Yes or No)
N/A			

I hereby claim benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Application Serial No.	Filing Date
60/264,510	January 25, 2001

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
N/A		

<u>PCT Application No.</u>	<u>Filing Date</u>
N/A	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to David A. Hall, HELLER EHRMAN WHITE AND McAULIFFE LLP, 4350 La Jolla Village Drive, 7th Floor, San Diego, California 92122-1246; (858) 450-8400:

<u>Attorney</u>	<u>Reg. No.</u>
David A. Hall	32,233
Stephanie Seidman	33,779
Paula Schoeneck	39,362
Dale L. Rieger	43,045
Fred C. Hernandez	41,832
William B. Anderson	41,585
Robert T. Ramos	37,915
Alan C. Gordon	51,220

and other members of the firm.

Address for correspondence: David A. Hall
HELLER EHRMAN WHITE AND McAULIFFE LLP
4350 Executive Square, 7th Floor
San Diego, California 92122-1246

Full name of first inventor: Victor Alston

Inventor's signature: _____

Date: _____

Residence: San Mateo, California

Post Office Address: 2751 South Norfolk Street, #212

San Mateo, California 94403

Citizenship: USA

Full name of second inventor: Eric Lo

Inventor's signature: _____

Date: _____

Residence: San Mateo, California

Post Office Address: 35 W. 20th Avenue, #207

San Mateo, California 94403

Citizenship: USA

Full name of third inventor: David Chow

Inventor's signature: _____

Date: _____

Residence: San Mateo, California

Post Office Address: 2721 South Norfolk Street, #313

San Mateo, California 94403

Citizenship: USA

184013 v01.SD (3XZH01!.DOC) (37232.6067)

A S S I G N M E N T

I, VICTOR ALSTON, a citizen of the United States of America, residing at 2751 South Norfolk Street, #212, San Mateo, California 94403, U.S.A., for good and valuable consideration, have assigned and do hereby assign to BIGMACHINES.COM, INC., a corporation organized under the laws of California, having a principal business address of 558 Pilgrim Drive, Foster City, California 94404, U.S.A., its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the application for Letters Patent of the United States Application No. 10/057,513 entitled:

DYNAMICALLY BRANDED WEB SITES

which was filed on January 25, 2002, and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such foreign applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

ASSIGNMENT
V. ALSTON et al.

Atty Docket No. 37232-6067

I agree to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

DATE: _____

VICTOR ALSTON

STATE OF _____)

) SS.

COUNTY OF _____)

On _____, before me, the undersigned, a notary public for the State of Washington, personally appeared VICTOR ALSTON, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.

Notary Public